



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MARK E. EIDSON et al.

Serial No.: 09/185,248

Filed: November 3, 1998

For: MIXING DIVERSELY ENCODED
DATA STREAMS

§ Group Art Unit: 2741

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Examiner: A. Armstrong

Atty. Dkt. No.: INTL-0136-US

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Commissioner for Patents
Washington DC 20231

RESPONSE TO OFFICE ACTION OF JULY 18, 2000

Sir:

In response to the office action mailed July 18, 2000, please amend the above-referenced patent application as follows:

In the Claims:

Please amend the following claims:

- 1 14. The program storage device of claim [105] 13, further comprising
2 [comprise] instructions to transmit the encoded combined audio data stream to a
3 circuit.

Please cancel claims 17 and 18 without prejudice.

REMARKS

In the office action of July 18, 2000, claims 14 and 15 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Please note that claim 14 has been amended. As claim 15 is dependent on claim 14, the amendment to claim 14 should address the § 112 rejection of both claims.

Date of Deposit: 8-1-00
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington DC 20231.
Sherry Tipton

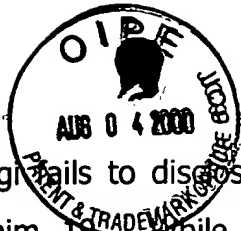
Further, claims 1-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Farhangi et al. Claims 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Farhangi et al. in view of Bestler et al. Applicants respectfully request reconsideration of all claim rejections, based upon the following arguments.

Independent claim 1 recites a method "to combine diversely encoded audio data streams." A first audio data stream is received in a first perceptually based format and decoded into a raw format, a second audio data stream is obtained in the raw format, and the decoded first audio data stream is combined with the second audio data stream. Likewise, independent claim 12 recites a program storage device with instructions for performing the operations recited in claim 1.

Applicants respectfully disagree that Farhangi discloses the above claim elements. Although Farhangi discloses mixing audio signals having independent sources, combining an audio data stream "in a first perceptually-based format" with a second audio data stream in a raw format is not disclosed by Farhangi. The digital mixer 277 of Figure 2 receives a plurality of audio data streams. However, the disclosed audio data streams are in the perceptually-based format, e.g., not audio signals that would be generated by a computer system.

Further, where the PCI bus 210 of Figure 2 may receive audio data of a different format, the audio data received by the digital mixer 277 is not combined with the audio data received into the digital mixer 278. Instead, the selectors 290 and 292 do not mix, but instead select one of the available output sources. Thus, the combining element of claims 1 and 12 is not disclosed by Farhangi. For at least this reason, claims 1 and 12 are not anticipated by Farhangi. Accordingly, Applicants respectfully request allowance of these claims, as well as claims 2-11 and 13-16, which depend from 1 and 12, respectively.

Independent claim 19 recites a method to combine diversely encoded data streams. A first data stream in a first compressed format is received, then decoded into an uncompressed format. A second data stream is obtained in the uncompressed format and the decoded first data stream is combined with the second data stream.



Farhang fails to disclose receiving a data stream in a compressed format, as recited in claim 19. While Farhang teaches "deformatting," "interpolating," and "decimating" incoming audio signals, no "first data stream in a first compressed format" is suggested. Likewise, Bestler fails to teach or suggest this claim element. For at least this reason, Applicants' claim 19 is anticipated neither by Farhang nor by Bestler. Thus, Applicants respectfully request reconsideration of the rejection to claim 19, as well as its dependent claims, 20-23.

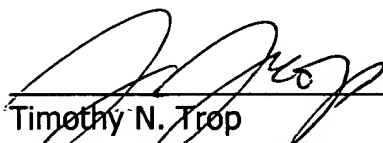
Conclusion

Applicants respectfully request reconsideration of all claim rejections in light of the above arguments. In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,

Date: _____

7/31/00



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